



CPA #2826
#22
PATENT CPA
CUSTOMER NO. 22,852
ATTORNEY DOCKET NO. 04329.2306-07
11/8/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
BOX CPA
Washington, D.C. 20231

Prior Application Art Unit: 2826 Prior Application Examiner: Mondt, Johannes P.

SIR: This is a request for filing a Continued Prosecution Application as a:

Continuation or Divisional application under 37 C.F.R. § 1.53(d) of pending prior nonprovisional Application No. 09/559,757 filed April 27, 2000 for SEMICONDUCTOR DEVICE AND METHOD OF MANUFACTURE THEREOF by the following named inventors:

Yoshio OZAWA, Yasumasa SUIZU, and Yoshitaka TSUNASHIMA

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

1. Applicants hereby request a one-month extension of time. The filing fee includes the amount of \$110 to cover the cost of this extension of time.
2. Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
3. Enter the amendment previously filed on _____ under 37 C.F.R. § 1.116 but unentered, in the prior application.
4. **Preliminary Amendment:** Please cancel claims 1-3, 5, and 7, without prejudice of disclaimer of the subject matter therein.
5. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. 1.53 (d)(4).
 - a. DELETE the following inventor(s) named in the prior nonprovisional application:

FINNEGAN
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Washington, DC 20005

202.408.4000

Fax 202.408.4400

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02 FC:1251

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b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

6. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 and 4 above.

Basic Application Filing Fee				\$750	\$ 750.00
	Number of Claims	Basic	Extra Claims		
Total Claims	12	-	20	0	x \$18 0.00
Independent Claims	3	-	3	0	x \$84 0.00
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)				+\$280	0.00
Subtotal					\$ 750.00
Reduction by 1/2 if small entity					- 0.00
TOTAL APPLICATION FILING FEE					\$ 750.00

7. A check in the amount of \$860 to cover the filing fee and any extension of time fees is enclosed.

8. The Commissioner is hereby authorized to charge any fees including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 06-0916.

9. Small entity status is appropriate and applies to this application.

10. Priority of application Serial No. 11-121689, filed on April 28, 1999 in Japan and application Serial No. 2000-122018 filed on April 24, 2000 in Japan is claimed under 35 U.S.C. § 119. Certified copies
 is enclosed or are on file in the prior application.

11. The prior application is assigned of record to: Kabushiki Kaisha Toshiba, recorded at Reel 011100/0369.

12. The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020;

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13. Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**

14. Recognize as associate attorney _____

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15. Also enclosed is _____

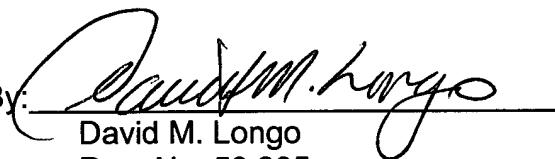
PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in parent Application No. 09/559,757, filed April 27, 2000, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that any member of the public, who is entitled under the provisions of § 1.14 to access to, copies of, or information concerning either the prior application or any continuing application filed under the provisions of 37 C.F.R. § 1.53(d), may be given similar access to, copies of, or similar information concerning the other application or applications in the file jacket.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 2, 2003

By:



David M. Longo
Reg. No. 53,235

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